

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO. 03 CV 12573 EFH

BERNADINE T. GRIFFITH

Plaintiff

vs.

ONEBEACON INSURANCE COMPANY,

ONEBEACON AMERICA INSURANCE

COMPANY, MICHAEL A. SISTO, and

KAREN ALLEN HOLMES

Defendants

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT
DISTRICT OF MASS.

MAY 1, 2006 STIPULATION

STIPULATION OF FACTS

The parties have stipulated to the following facts:

1. On August 27, 1979, Commercial Union Insurance, now as OneBeacon Insurance Company, hired Bernadine T. Griffith, a black female.
2. OneBeacon Insurance terminated Ms. Griffith's employment on September 27, 2000.
3. In April 1994, Ms. Griffith suffered a heart attack that resulted in her need for a quadruple bypass.
4. In August 1996, Ms. Griffith was diagnosed with heart disease.

PLAINTIFF'S WITNESS LIST:

1. Bernadine T. Griffith
2. Edgar W. Griffith
3. Thomas G. Ford
4. William Queenan
5. Michael A. Sisto
6. Karen Allen Holmes
7. Monica Scanlon

8. Cynthia McKinney
9. Helen D. Trampusch, MD, Lahey Medical Center
10. John Garrison, Ph.D., FA ClinP, Lahey Medical Center
11. Susan Moner, MD. Lahey Clinic
12. Erin M. O'Toole
13. Cristin L. Rothfuss
14. Kenneth L. Kimmell
15. Steven S. Locke, Esq., General Counsel, the Keeper of Records, MCAD
16. Leah M. Moore

DEFENDANT'S WITNESS LIST

1. Bernadine Griffith
2. Karen Allen Holmes
3. Michael A. Sisto
4. Monica Scanlon
5. Thomas Ford
6. Suzanne Harris Walker
7. Judy Volente
8. Joanne Murphy
9. Cathleen Moynihan
10. Lisa Studholme
11. Nancy Snyder
12. John Garrison, Ph.D.
13. Susan Moner, M.D.
14. Helen Trampusch, M.D.
15. Harvey Waxman, Ph.D.

PLAINTIFF'S ISSUES OF LAW*

- 1 Whether One Beacon Insurances' intentional treatment of the plaintiff differently from similarly situated coworkers who were not members of the protected class when implementing discriminatory practices and/or in creating a hostile work environment resulted in causing the plaintiff to suffer adverse employment consequences, in violation of Title VII and the ADA.
- 2 Whether the defendants retaliated against the plaintiff for having exercised her rights to file a charge of discrimination and have interfered with plaintiff's exercise of her protected rights, in violation of Title VII and the ADA.
- 3 Whether the defendants engaged in unlawful discriminatory conduct with malice and/or a reckless indifference of the plaintiff's federally protected rights under Title VII and the ADA.
- 4 Whether the defendants failed to comply with the September 14, 2004 and March 15,

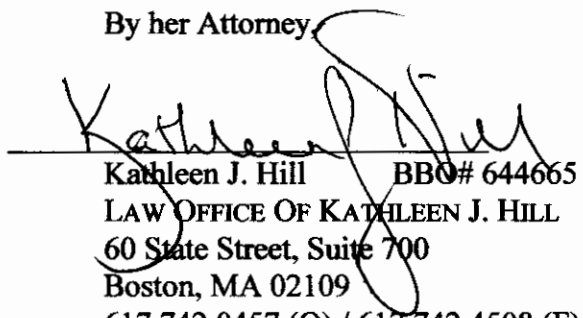
2005 Discovery Order, such that the defendants are barred from submitting evidence in their defense at trial.

- 5 Whether defendants engaged in bad-faith litigation practices when they intentionally and maliciously published plaintiff's personal data identifiers and confidential psychiatric records (Social Security Number – Exhibit A on page 284; Exhibit LL on page 1, 2, and 3; Exhibit MM on page 1; and, DOB – Exhibit W; and Exhibit UU) on PACER, thus subjecting the plaintiff to identity theft, such that the defendants are barred from submitting evidence in their defense at trial?

*The defendant provided no issues of law to the plaintiff, but stated that it will make it's own filing.

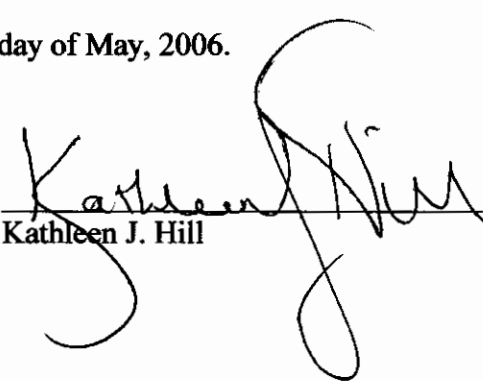
Respectfully submitted,
BERNADINE T. GRIFFITH
By her Attorney

Date: May 1, 2006


Kathleen J. Hill BBO# 644665
LAW OFFICE OF KATHLEEN J. HILL
60 State Street, Suite 700
Boston, MA 02109
617.742.0457 (O) / 617.742.4508 (F)

CERTIFICATE OF SERVICE

I, Kathleen J. Hill, herein certify that I served a true and accurate copy of the foregoing Plaintiff's May 1, 2006 Stipulation on the counsel of record: Keith B. Muntyan and Leah M. Moore, of Morgan, Brown & Joy, L.L.P., 200 State Street, 11th Floor, Boston, MA 02109-2605 by pre-paid U.S. Mail and e-mail on this 1st day of May, 2006.


Kathleen J. Hill